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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,178	11/19/2003	Leslie Dotson	2219.0030001	3809
26111	7590	11/01/2005		
STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER FRANKLIN, JAMARA ALZAIDA	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/716,178	Applicant(s) DOTSON, LESLIE	
	Examiner Jamara A. Franklin	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 21 and 22 is/are allowed.
- 6) ☒ Claim(s) 10, 11, 16-20 and 23 is/are rejected.
- 7) ☒ Claim(s) 12-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/08/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgment is made of the amendment filed on 8/08/05. Claims 1-23 are currently pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10, 11, 16-20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sternglass et al. (US 5,995,025) (hereinafter referred to as 'Sternglass') in view of Santoh (US 6,636,204).

Sternglass teaches a foldable keyboard assembly (expandable keyboard 10), comprising:
a keyboard comprising a first keyboard segment (central keyboard assembly 14) and a second keyboard segment (right keyboard assembly 20 and left keyboard assembly 22) attached thereto by a first hinge assembly, each of said first and second keyboard segments having a top portion upon which is disposed a plurality of keys and a bottom portion, said first hinge assembly permitting said first and second keyboard segments to be arranged in an open position in which said top portions of said first and second keyboard segments are exposed or in a closed position in which said top portions of said first and second keyboard segments are concealed (see figures 1B, 1C, and 1D and col. 7, lines 19-21); and

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a carriage (platform 62) coupled to said keyboard, said carriage comprising a back plate (back wall 64), said back plate including a plurality of braces adapted to support a digital device (cover 90 of the portable computer 12) communicatively coupled to said keyboard (col. 5, lines 44-47);

the assembly wherein said first hinge assembly includes a locking mechanism for locking said first and second keyboard segments in said open position (col. 12, lines 8-10);

the assembly wherein said keyboard further comprises a port adapted to receive a means for communicating with a digital device (col. 6, lines 4-13);

the assembly wherein the carriage comprises an infrared (IR) assembly attached to said back plate, said IR assembly comprising a stem and an IR sensor (col. 6, lines 10-13);

the assembly wherein said means for communicating with a digital device comprises a Universal Serial Bus (USB) cable; and

the assembly wherein said means for communicating with a digital device comprises a wireless interface adapter.

Sternglass lacks the teaching of the IR stem being rotatable to align said IR sensor with the IR port.

Santoh teaches a stem being rotatable to align a sensor with a port of a digital device for communication (col. 6, lines 44-47 and 52-57).

One of ordinary skill in the art would have readily recognized that providing the Sternglass invention with a rotatable IR stem would have been beneficial for ensuring proper communication connection. Therefore, it would have been obvious, at the time the invention

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was made, to modify the teachings of Sternglass with the aforementioned teaching of Iguchi to reduce the chance of the loss of data.

Allowable Subject Matter

3. Claims 1-9, 21 and 22 are allowed.

4. Claims 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: although prior art, particularly Sternglass teaches a foldable keyboard and a carriage coupled to the keyboard, the prior art of record fails to teach, or fairly suggest either alone or in combination thereof, a backplate including one or more stowable braces for supporting a digital device communicatively coupled to the keyboard; wherein at least one of the one or more stowable braces is slidable adjustable to accommodate digital devices.

Response to Arguments

6. Applicant's arguments, see page 9 of arguments filed 8/08/05, with respect to the 35 U.S.C. 103(a) rejection of claims 1-9, 21, and 22 have been fully considered and are persuasive. The aforementioned rejection has been withdrawn.

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7. Applicant's arguments, see page 9 of arguments filed 8/08/05, with respect to the rejection(s) of claim(s) 10, 11, and 16-20 in view of Sternglass/Monney/Iguchi have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sternglass/Santoh.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang et al. (US 2004/0075589) teach a universal mobile keyboard.

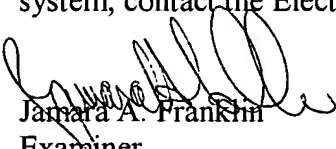
Wang (US 2002/0122028) teaches an external keyboard for PDAs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamar A. Franklin
Examiner
Art Unit 2876

JAF
October 27, 2005



KARL D. FRECH
PRIMARY EXAMINER